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January 10, 2016 January 10, 2016

BY ECF

Hon. Carol Bagley Amon
Chief Judge, United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Elyaas Neils v. City of New York, et al. 14-CV-6471 (CBA) (PK)

Dear Judge Amon,

I represent plaintiff and write to inform the Court that the parties have agreed to discontinue the above action. Stipulations of discontinuance will be submitted shortly.

As your honor may remember, this is a 42 USC §1983 case in which plaintiff alleges that a police detective unlawfully prompted a photo array witness to identify plaintiff. Despite extensive efforts we have been unable to secure the cooperation of the witness, and without his testimony the likelihood of prevailing in this action is almost nil. Under the circumstances plaintiff prefers not to burden the Court with further litigation and will not oppose defendants' motion for summary judgment filed December 18, 2015.

Respectfully,



George Wachtel

CC: Sr. A.C.C. Tobias E. Zimmerman, ECF